



# **CITY COUNCIL/ REDEVELOPMENT AGENCY AGENDA**

**City of Westminster  
Adjourned Regular Meeting  
May 17, 2006**

**6:00 p.m. – Council Conference Room  
7:00 p.m. – Council Chambers**

**8200 Westminster Boulevard  
Westminster, California 92683**

**MARGIE L. RICE  
MAYOR**

**FRANK G. FRY  
Mayor Pro Tem**

**KERMIT MARSH  
Council Member**

**ANDY QUACH  
Council Member**

**AMERICANS WITH DISABILITIES ACT:** In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Clerk, (714) 898-3311. Notification of 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting. (28 CFR 35.102-35.104 ADA Title I)

## **GENERAL INFORMATION**

### **MEETINGS**

Regular Meetings of the City Council/Redevelopment Agency are held the first and third Wednesday of each month at the hour of 6:00 p.m. (5:00 p.m. if deemed necessary) for Closed Session matters, if required. **The public session of the meeting shall commence at 7:00 p.m.** or as soon thereafter as possible. Adjourned Regular Meetings (Study Sessions) are tentatively held on the Monday following the first Wednesday of the month at 6:00 p.m.

### **AGENDA INFORMATION**

The agenda contains a brief general description of each item to be considered. Agendas are available at the entryway of the Council Chambers. Supporting documentation to each agenda item is available in the entryway for public review.

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### **PUBLIC COMMENTS**

Pursuant to Government Code Section 54954.3, members of the public may address the City Council/Redevelopment Agency/Public Financing Authority during each item on the agenda as called. Oral Communications is held after the Consent Calendar portion of the agenda and provides the public an opportunity to address any items of interest **not on the agenda** that are within the subject matter jurisdiction. NO action may be taken on items not listed on the agenda unless authorized by law. Comments shall be limited to three minutes per person.

**To address the City Council/Redevelopment Agency on any matter**, complete a "Request to Speak" form located at the entrance to the Council Chambers. Present the form to the City Clerk prior to being heard by the City Council. When speaking, please face the City Council and state your name and address for the record.

### **AGENDA ON THE INTERNET:**

The Agenda is available at <http://www.ci.westminster.ca.us>. The agenda can be accessed on the internet on the Friday before the meeting on Wednesday.

### **TELEVISED MEETING SCHEDULE**

Regular City Council/Agency meetings are broadcast live on Westminster Cable Channel 3 and REBROADCAST on Monday and Friday at 11:00 a.m.; Tuesday, Wednesday and Thursday at 7:00 p.m.; Wednesday at 12 noon; and Saturday and Sunday at 6:00 p.m.

# **AGENDA**

May 17, 2006

**6:00 P.M.**

## **CLOSED SESSION**

PUBLIC COMMENTS MAY BE RECEIVED BY THE CITY COUNCIL/REDEVELOPMENT AGENCY  
DURING ANY ITEM TO BE CONSIDERED IN CLOSED SESSION.

### **CALL TO ORDER:**

### **ROLL CALL**

PRESENT:

ABSENT:

### **CLOSED SESSION:**

The City Council/Redevelopment Agency will recess to a Closed Session for the following purposes:

- 1) Conference with Real Property Negotiators pursuant to Government Code Section 54956.8: Property: 6312 California Avenue; City Negotiators: Interim City Manager Andy Hall and Director of Public Works/City Engineer Marwan Youssef; Negotiating Party: Tina Tran; Under Negotiation: Price and Terms of Payment; and
- 2) Pursuant to Government Code Section 54957: Public Employee Performance Evaluation: City Manager.

### **RECESS:**

# **AGENDA**

May 17, 2006

**7:00 P.M.**

PUBLIC COMMENTS MAY BE RECEIVED BY THE CITY COUNCIL/REDEVELOPMENT AGENCY OR PUBLIC FINANCING AUTHORITY DURING EACH ITEM ON THE AGENDA AS CALLED.

The City Council/Redevelopment Agency of the City of Westminster will regularly convene in joint session for the purpose of considering the following City Council/Redevelopment Agency Agenda items. The Westminster Public Financing Authority is also an agency on which Council serves as members. This Agency may also have items scheduled.

## **RECONVENE CITY COUNCIL/REDEVELOPMENT AGENCY MEETING**

**ROLL CALL:** RICE, FRY, MARSH, QUACH

**PRESENT:**

**ABSENT:**

**SALUTE TO FLAG:** Mayor Pro Tem Fry

**INVOCATION:**

## **REPORT OUT OF CLOSED SESSION:**

The City Attorney shall determine if any actions taken by the City Council/Redevelopment Agency in Closed Session shall require a reporting on those actions as required by law (Government Code 54957.1(a) (3) (B)).

- 1) Status Report – Vangie Schock

## **SPECIAL PRESENTATIONS:**

- A. Presentation of grant donation to the City from Interval House Crisis Shelter to support the Police Department's work against domestic violence.
- B. Presentation by Michael Hearst, Director of Communications, Orange County Vector Control.

# **AGENDA**

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## **1. CONSENT CALENDAR**

All matters listed under the Consent Calendar are considered routine and will be enacted by one vote. There will be no separate discussion of these items unless Members of the City Council/Redevelopment Agency/Public Financing Authority, the public, or staff request specific items be removed from the Consent Calendar for separate action or discussion.

### **APPROVAL OF MINUTES**

- 1.1 (City Council/Redevelopment Agency) Minutes of the Adjourned Regular Meetings of the City Council/Redevelopment Agency of April 19, 2006, and Minutes of the Regular Meeting of the City Council/Redevelopment Agency of April 26 and May 10, 2006. (Marian Contreras)**

RECOMMENDATION: Approve.

### **ROUTINE MATTERS**

- 1.2 (City Council/Redevelopment Agency) Waive reading in full of all ordinances and resolutions under consideration, and approve and adopt same by reading title only.**

RECOMMENDATION: Approve.

- 1.3 (City Council) Denial of Claims Against the City From:**

1. Mario Soto in the amount of \$500.00.
2. Hans Lamme in the amount of \$7,895.00.
3. Tommy Anderson in the amount of \$350.00.

RECOMMENDATION: Deny claims filed against the City.

- 1.4 Proclamation declaring the week of May 21-27, 2006 as "National Public Works Week" in the City of Westminster (Marwan Youssef)**

RECOMMENDATION: Approve.

- 1.5 Renewal of Contract with California Insurance Pool Authority (CIPA) (Pat Corcoran)**

RECOMMENDATION: Staff recommends that the Mayor and City Council approve the contract between the City of Westminster and CIPA, and authorize the Interim City Manager to execute the contract on behalf of the City.

# **AGENDA**

May 17, 2006

## **1. CONSENT CALENDAR (Continued)**

### **1.6 Approval of specific terms of the West County Regional SWAT Protocol (Ron Coopman)**

RECOMMENDATION: Staff recommends that the Mayor and City Council authorize the Chief of Police to participate in and execute the West County SWAT Protocol (Protocol) and approve paragraphs 7 and 8 of the Protocol entitled "Liability" and "Workers Compensations and other city benefits".

### **1.7 Replacement of Police Department Firearms (Kevin Baker)**

RECOMMENDATION: Staff recommends that the Mayor and City Council authorize a purchase order be issued to Sigarms, Inc., in an amount not to exceed \$21,000.00 for the purchase of 120 handguns.

### **1.8 Purchase of One Ton Truck with Service Body for the Parks Division (Unit #1605) (Marwan Youssef)**

RECOMMENDATION: Staff recommends that the Mayor and City Council authorize a purchase order to Fairview Ford Sales, Inc. in the amount of \$32,155.97 to purchase a one-ton truck with service body.

## **ORDINANCES (SECOND READING)/RESOLUTIONS**

### **1.9 (Agency) Resolution No. 179 – A Resolution of the Westminster Redevelopment Agency Authorizing Official Signatures on behalf of the Agency for Safekeeping Agency Property and Authorizing Facsimile Signatures for Instrument of Payment (Paul Espinoza)**

RECOMMENDATION: Staff recommends that the Chair and Agency Board adopt Resolution No. 179 and waive further reading.

### **1.10 Resolution No. 4003 – A Resolution of the Mayor and City Council of the City of Westminster Authorizing Official Signatures on behalf of the City for Safekeeping City Property and Authorizing Facsimile Signatures for Instrument of Payment (Paul Espinoza)**

RECOMMENDATION: Staff recommends that the Mayor and City Council adopt Resolution No. 4003 and waive further reading.

# **AGENDA**

May 17, 2006

## **1. CONSENT CALENDAR (Continued)**

### **ADMINISTRATIVE ITEMS**

- 1.11 Special Event Permit application from the Saigon for Saigon Movement to hold a Saigon Commemoration Rally on Sunday, July 2, 2006 between the hours of 8:00 a.m. and 2:00 p.m. (includes set up and clean up times). The event will take place at Freedom Park located at 14180 All American Way; the anticipated attendance is 750 people. (Greg Johnson)**

RECOMMENDATION: Staff recommends that the Mayor and City Council approve the Special Event Permit application subject to the conditions attached to the staff report.

### **WARRANT REGISTER**

- 1.12 (City Council/Redevelopment Agency) Warrant Register dated April 19 through May 9, 2006 (Paul Espinoza)**

RECOMMENDATION: Approve.

### **INFORMATION AND REPORTS**

- 1.13 Minutes of the Planning Commission meetings held on April 5 and April 12, 2006 (Don Anderson)**

RECOMMENDATION: Receive and file.

- 1.14 Minutes of the Community Services & Recreation Commission Meeting held on January 10, 2006 and March 14, 2006 (Greg Johnson)**

RECOMMENDATION: Receive and file

- 1.15 Treasurer's Report – March 2006 (Paul Espinoza)**

RECOMMENDATION: Receive and file.

- 1.16. Community Development Monthly Activity Report – April 2006 (Don Anderson)**

RECOMMENDATION: Receive and file.

- 1.17 Minutes of the Traffic Commission Meeting held on May 2, 2006 (Marwan Youssef)**

RECOMMENDATION: Receive and file.

**END OF CONSENT CALENDAR**

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# **AGENDA**

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## **2. ORAL COMMUNICATIONS**

At this time members of the public may address the City Council/Redevelopment Agency regarding any items of interest not on the agenda that are within the subject matter jurisdiction of the City Council. NO action may be taken on items not listed on the agenda unless authorized by law. Comments shall be limited to three minutes per person.

## **3. COMMISSION/COMMITTEE ITEMS SUBJECT TO REVIEW**

### **3.1 The actions of the Planning Commission meeting held on May 3 and May 10, 2006.**

RECOMMENDATION: That the City Council determine if they wish to call up any item(s) for review from the Planning Commission meetings of May 3 and May 10, 2006.

- 1) Case 2005-69: construction of four, two-story townhouse-condominium units at 14101 Pacific Avenue
- 2) Case 2006-12: Construction of a wireless communications facility mounted to a 50-foot-tall flagpole at 9429 Edinger Avenue
- 3) Case 2006-19: Construction of a wireless communications facility on an existing Southern California Edison transmission tower at 8600 Palos Verdes Avenue
4. Case 2006-31: Construction of a wireless communications facility on an existing Southern California Edison transmission tower at Hoover Street and 21<sup>st</sup> Street.



# **AGENDA**

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## **4. PUBLIC HEARINGS**

**ADDRESSING THE CITY COUNCIL DURING PUBLIC HEARINGS:** After the public hearing is opened, persons speaking in favor will be heard first, followed by those persons speaking in opposition; and then persons speaking in rebuttal. Only those persons who have spoken in favor will be permitted to speak in rebuttal.

If a spokesperson is designated to speak in favor or in opposition, that spokesperson will have twelve (12) minutes to speak. Thereafter, each person speaking in favor or in opposition will have three (3) minutes to speak. The total time for speaking in favor or in opposition shall not exceed 30 minutes. Those persons speaking in rebuttal will have three minutes each, or a total of 20 minutes for rebuttal. The City Council may use its discretion to allow a speaker to exceed time limits.

**NOTE:** If a challenge is made by any party in court from actions arising out of a public hearing, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice or in written correspondence delivered at the public hearing or prior thereto.

### **4.1 CASE NO. 2006-09 – AMENDMENTS TO TITLES 16 AND 17 OF THE WESTMINSTER MUNICIPAL CODE AND THE ADOPTION OF A NEGATIVE DECLARATION RELATING TO THE ESTABLISHMENT OF A NEW FORMULA FOR CALCULATING THE AMOUNT OF ON-SITE OPEN SPACE AND RECREATIONAL AMENITIES THAT MAY BE CREDITED AGAINST THE DEDICATION REQUIREMENT FOR PARK AND RECREATIONAL PURPOSES OR IN-LIEU FEES ASSOCIATED WITH RESIDENTIAL SUBDIVISIONS AND ESTABLISHING MINIMUM ON-SITE OPEN SPACE REQUIREMENTS FOR RESIDENTIAL DEVELOPMENTS. (Continued from the February 22, 2006, March 22, 2006 and April 19, 2006 meetings) (Don Anderson)**

Time set for a public hearing to review the Planning Commission's recommendation to approve the proposed ordinance.

**PLANNING COMMISSION RECOMMENDATION:** The Planning Commission recommends that the Mayor and City Council introduce Ordinance No. 2400 entitled, "An Ordinance of the Mayor and City Council of the City of Westminster amending Title 16 and 17 of the Westminster Municipal Code establishing a new formula for calculating the amount of on-site open space and recreational amenities that may be credited against the dedication requirement for park and recreational purposes or in-lieu fees associated with residential subdivisions and establishing minimum on-site open space requirements for residential developments", and waive further reading.

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## **4. PUBLIC HEARINGS (Continued)**

### **4.2 CASE 2005-16 (ZONE CHANGE, TENTATIVE PARCEL MAP, SITE PLAN REVIEW AND DESIGN REVIEW); 7601 23<sup>RD</sup> STREET; APPLICANT: TIM HARRIS (Don Anderson)**

Time set for a public hearing to consider the construction of three residential condominiums on a 12,774 square foot lot. The required entitlements include a Zone Change, Tentative Parcel Map for condominium purposes, Site Plan review to assess the proposed site layout, and design review to assess the design and overall appearance of the development.

Staff recommends that the Mayor and City Council:

- 1) Adopt Resolution No. 3946 entitled "A Resolution of the Mayor and City Council of the City of Westminster adopting Mitigated Negative Declaration (MND) 05-02 and approving Case No. 2005-16 (Zone Change, Tentative Parcel Map, Site Plan Review, Design Review) to allow the construction of three residential condominiums on a 12,774-square-foot lot located at 7601 23<sup>rd</sup> Street, and waive further reading; and
- 2) Introduce Ordinance No. 2390 entitled, "An Ordinance of the Mayor and City Council of the City of Westminster amending Sectional District Map 2-5-11 of Municipal Code Section 17.06.070 to change the zoning district designation for property located at 7601 23<sup>rd</sup> Street from M1 (Light Industrial) to R2 (Multiple Units, 08-12 units/acre)," and waive further reading.

## **5. MATTERS FROM COUNCIL/AGENCY/AUTHORITY MEMBERS**

### **5.1 Council/Agency Member Items/AB 1234 Reports**

### **5.2 Request to rename Palos Verdes Park to Russell C. Paris Park (Mayor Rice)**

# **AGENDA**

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## **6. MATTERS FROM CITY MANAGER/EXECUTIVE DIRECTOR**

### **6.1 Ratification of Interim City Manager Appointment and Salary Adjustments for Interim City Manager and Acting Police Chief (Pat Corcoran)**

RECOMMENDATION: Staff recommends that the Mayor and City Council:

- 1) Ratify the appointment of Andrew Hall as Interim City Manager; and
- 2) Authorize funding for salary adjustments for the Interim City Manager and Acting Police Chief for the remainder of fiscal year 2005-06 as follows:
  - a) Budget transfer in the amount of \$4,222 from the General Fund Contingency (Account No. 20000-60904) to City Manager's Permanent Salaries (Account No. 11500-40000); and
  - b) Budget transfer in the amount of \$2,558 from the General Fund Contingency (Account No. 20000-60904) to the Police Permanent Salaries (Account No. 31000-40000).

### **6.2 Authorization to Increase Vehicle Fuel Purchase Order for FY 2005-06 and Transfer of Funds to Cover Higher Fuel Cost for FY 2005-06 (Marwan Youssef)**

RECOMMENDATION: Staff recommends that the Mayor and City Council:

1. Transfer \$15,159 from the "Equipment Replacement Fund 700", Budget Contingency Reserve, to Fleet Maintenance Account 58000-44000;
2. Transfer \$64,841 from the "Equipment Replacement Fund 700", Emergency Reserve, to Fleet Maintenance Account 58000-44000; and
3. Approve an increase of \$80,000 to Purchase Order No. 2081 to Petro Diamond, Inc. for Gasoline and Diesel Fuel.

### **6.3 Recommended Improvements for the City-Wide Graffiti Program (Marwan Youssef)**

RECOMMENDATION: Staff recommends that the Mayor and City Council receive and file this report.

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## **6. MATTERS FROM CITY MANAGER/EXECUTIVE DIRECTOR (Continued)**

### **6.4 Contractual Joint Venture Agreement with the County of Orange to provide services for the Family Resource Center for fiscal year 2006-07 (Greg Johnson)**

RECOMMENDATION: Staff recommends that the Mayor and City Council:

- 1) Approve the Contractual Joint Venture Agreement with the County of Orange to provide services at the Family Resource Center in the amount of \$225,000 for fiscal year 2006-07, and authorize the Interim City Manager to execute the agreement on behalf of the City;
- 2) Authorize a purchase order for counseling and case management services to Western Youth Services in the amount of \$36,569; and
- 3) Authorize a purchase order for domestic violence, intervention/education and counseling services to Interval House in the amount of \$17,595.

### **6.5 Select a date and time for the Moran Corridor Workshop (Don Anderson)**

RECOMMENDATION: Staff recommends that the Mayor and City Council select a date and time in July to conduct the Moran Corridor Workshop.

## **7. WRITTEN COMMUNICATIONS (Public) – None**

## **8. LEGISLATIVE ITEMS - None**

## **9. COMMISSION AND COMMITTEE ITEMS**

### **9.1 Initiation of a Possible Zone Text Amendment to Limit the Size of New Single-Family Houses and Remodels (Don Anderson)**

PLANNING COMMISSION RECOMMENDATION: The Planning Commission requests that the Mayor and City Council initiate a Zone Text Amendment to develop standards that will limit the size of single-family house remodels and the size of new single-family houses in order to maintain existing neighborhood scale, character and to insure quality design.

### **9.2 Request for parking restrictions at 23<sup>rd</sup> Street and Pacific Avenue – T.C. 92-100 (Marwan Youssef)**

TRAFFIC COMMISSION RECOMMENDATION: Staff recommends that the Mayor and City Council approve the recommendation of the Traffic Commission and adopt Resolution No. 4002 entitled, "A Resolution of the Mayor and City Council of the City of Westminster providing for the installation of parking restrictions on the northwest corner of 23<sup>rd</sup> Street and Pacific Avenue', and waive further reading.

# AGENDA

May 17, 2006

10. **COUNCIL/AGENCY ADJOURNMENT:** To Thursday, May 18, 2006 at 6 p.m. in the Council Chambers, 8200 Westminster Boulevard, Westminster, California for the purpose of reviewing the preliminary budget for fiscal years 2006-07 and 2007-08 and fees and charges for fiscal year 2006-07, and to discuss City/Agency business.

DECLARATION: This agenda was posted on the Bulletin Board outside of the Council Chambers, where completely accessible to the public, at least 72 hours in advance of the City Council/Redevelopment Agency meeting.

  
Marian Contreras, City Clerk/Agency Secretary